

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
2 **PLANNING COMMISSION MEETING**

3
4 **Wednesday, January 16, 2008**
5 **7:00 p.m.**
6 **Cottonwood Heights City Council Room**
7 **1265 East Fort Union Boulevard, Suite 300**
8 **Cottonwood Heights, Utah**
9

10 ***ATTENDANCE***

11
12 **Planning Commission Members:**

13
14 J. Thomas Bowen, Chairman
15 Geoff Armstrong
16 JoAnn Frost
17 Jerri Harwell, Alternate
18 Doug Haymore
19 Jim Keane
20 Gordon Nicholl
21 Amy Rosevear, Alternate
22

City Staff:

Michael Black, Planning Director
Glenn Symes, Associate Planner
Sherry McConkey, Planning Coordinator

23 **REGULAR MEETING**

24
25 Chairman J. Thomas Bowen called the meeting to order at 7:03 p.m. Procedural issues were
26 reviewed.
27

28 **1. Public Comment.**

29
30 There were no public comments.
31

32 **2. Action Item – Amended Conditional Use – Hillside Plaza.**

33
34 (19:01:15) Associate Planner, Glenn Symes, presented the staff report and stated that the request
35 was for a remodel to the Hillside Plaza. Tonight the review would be to the rooftop screening
36 requirements to the southwest pad located at 2343 East Fort Union Boulevard. He provided the
37 Commission Members with the portion of the Neighborhood Commercial Zone dealing with the
38 requirement. The applicants proposed screening measures. Mr. Symes' understanding was that
39 the Planning Commission would like staff to work to create a better color.
40

41 Winter Delamare of Winter Delamare Associates, introduced himself as the architect for Duncan
42 Properties who purchased the most easterly building. The location of the building was identified
43 on the site map. Mr. Delamare remarked that he had done similar projects with Duncan
44 Properties in the past. He stated that the zoning ordinance required screening of the rooftop
45 units. Four of the existing rooftop units would be eliminated and seven additional units would be
46 added. He explained that screening the roof per the code did not solve the issue. He did not

1 want to create more penetration around the units. He showed what he thought was a reasonable
2 solution but in looking at how the neighboring houses look over it, it did not screen the units.
3 The only way to do it properly would be to build a wall up high enough, which was
4 economically infeasible for what he characterized as secondary properties in the market.

5
6 (19:06:13) Chair Bowen commented that staff's recommendation was to approve the submittal.
7 The only question had to do with the color of the screening material. It was suggested that that
8 be left to staff to work out with the applicant rather than have the Commission arbitrarily pick a
9 color tonight. Mr. Delamare was comfortable with that. His preference was to eliminate the
10 screens, which could not happen.

11
12 In response to a question raised by Commissioner Armstrong, Mr. Delamare commented that the
13 screens would be approximately five-feet high and far enough around to allow workmen to get
14 inside of them and get in and around the machinery. The screening would be done with one-foot
15 kept above the roof. He stated that the screening would be three-sided.

16
17 (19:07:12) Chair Bowen opened the public hearing. There were no public comments. The
18 public hearing was closed.

19
20 (19:07:21) *Commissioner Frost moved to approve agenda item number two, regarding the roof*
21 *screening on the Hillside Plaza property with staff approving the final color with the*
22 *applicant. Commissioner Harwell seconded the motion. Vote on motion: Tom Bowen-Aye,*
23 *Gordon Nicholl-Aye, Geoff Armstrong-Aye, Doug Haymore-Aye, Jim Keane-Aye, JoAnn*
24 *Frost-Aye, Jerri Harwell-Aye, Amy Rosevear-Aye. The motion passed unanimously.*

25
26 **3. Consent Calendar – Conditional Use Permit – Short Term Rentals.**

27 **The Planning Commission received public comment and took action on a request**
28 **for conditional use permits for short term rentals located at the addresses listed**
29 **below:**

- 30
31 • **3550 East Wasatch Grove Lane**
32 • **3555 East Rustic Springs Lane**
33 • **3567 East Wasatch Hills Lane**
34 • **3569 East Lone Brook Lane**
35 • **3580 East Lone Brook Lane**
36 • **3569 East Rustic Springs Lane**
37 • **3570 East Rustic Springs Lane**
38 • **8141 South Clover Springs Lane**
39 • **8152 South Clover Springs Lane**
40 • **8252 South Wasatch Grove Lane**
41 • **8268 South Wasatch Grove Lane**
42 • **8272 South Wasatch Grove Lane**
43

44 (19:08:35) Planning Coordinator, Sherry McConkey, presented the staff report and reported that
45 what was presented were 12 short-term rental applications. Each unit was located in The Oaks at
46 Wasatch and all had gone through an application process that included a background check of

1 the property to make sure there were no outstanding violations. There had been no noise
2 complaints, loud parties, or calls to the sheriff's office. Bedrooms and beds had been inspected
3 in each unit as well as smoke detectors, fire extinguishers, and carbon monoxide monitors. Five
4 of the units contained hot tubs that were verified to have covers. All units were found to be in
5 compliance with the ordinance. Staff recommended approval.

6
7 Chair Bowen invited public comment.

8
9 Staff confirmed that all of the units met the required setbacks.

10
11 There were no further public comments. The public comment period was closed.

12
13 (19:10:37) In response to a question raised, Ms. McConkey reported that she received only one
14 phone call on the matter that had to do with the inspection process. Another gentleman came in
15 to the office and expressed concern about the number of short-term rentals at The Oaks.

16
17 Noticing issues were discussed. Ms. McConkey stated that the applicants noticed their neighbors
18 and the City noticed 300 feet around the properties.

19
20 (19:11:34) *Commissioner Frost moved to approve item number three on the consent calendar*
21 *subject to the following staff condition:*

- 22
23 1. *Each approved short-term rental property is required to maintain compliance with all*
24 *sections and sub-sections of Chapter 19.89 of the Cottonwood Heights Municipal Code*
25 *and all other legal requirements and all other applicable laws.*

26
27 *Commissioner Nicholl seconded the motion. Vote on motion: Tom Bowen-Aye, Gordon*
28 *Nicholl-Aye, Geoff Armstrong-Aye, Doug Haymore-Aye, Jim Keane-Aye, JoAnn Frost-Aye,*
29 *Amy Rosevear-Aye. The motion passed unanimously.*

- 30
31 4. **Action Item – Handout – Making Effective Public Comments: A Citizen's Guide to**
32 **the Public Process.**

33
34 (19:12:30) Planning Director, Michael Black, asked that the Commission Members make
35 revisions to the draft document and submit them no later than January 25 in order for him to
36 make changes prior to the next meeting scheduled for February 6.

37
38 Chair Bowen suggested the matter be put on the next agenda for review only. It would then be
39 set for a final decision on February 20.

- 40
41 5. **Action Item – Election of the 2008 Planning Commission Chairman and Vice**
42 **Chairman.**

43
44 (19:15:53) Chair Bowen reported that his term was set to expire and a new Chairman and Vice
45 Chairman needed to be appointed.

1 *Chair Bowen nominated Gordon Nicholl to serve as Chairman. Commissioner _____*
2 *seconded the nomination.*

3
4 There were no other nominations for Chairman.

5
6 *Vote on nomination: Tom Bowen-Aye, Gordon Nicholl-Aye, Geoff Armstrong-Aye, Doug*
7 *Haymore-Aye, Jim Keane-Aye, JoAnn Frost-Aye, Amy Rosevear-Aye. The motion passed*
8 *unanimously.*

9
10 Gordon Nicholl agreed to assume the Chair at the next meeting.

11
12 *Commissioner Keane nominated Doug Haymore to serve as Vice Chairman. Commissioner*
13 *Nicholl seconded the nomination.*

14
15 Commissioner Haymore appreciated the nomination but out of a sense of obligation he wanted to
16 understand the duties involved before accepting. Chair Bowen stated that the Vice Chairman's
17 duties were the same as the Vice President and briefly described the duties. Commissioner
18 Haymore agreed to serve.

19
20 There were no further nominations.

21
22 *Vote on nomination: Tom Bowen-Aye, Gordon Nicholl-Aye, Geoff Armstrong-Aye, Doug*
23 *Haymore-Aye, Jim Keane-Aye, JoAnn Frost-Aye, Amy Rosevear-Aye. The motion passed*
24 *unanimously.*

25
26 **6. Planning Director's Report.**

27
28 (19:18:21) Mr. Black reported that staff was still working on the City Center Master Plan. The
29 City Council was set to review it next week after which it would be brought back to the Planning
30 Commission as an informal agenda item.

31
32 Mr. Symes commented that at the last meeting there was a discussion about the flag lot
33 ordinance. It would be discussed again at the next meeting. He asked if there was anything in
34 particular the Commission wanted him to explore. Commissioner Armstrong thought it might be
35 a good idea to require flag lots be a minimum of one-half acre in size. He asked that staff give
36 some thought to that. Chair Bowen stated that there was some concern with flag lots and the
37 desire to not inundate the City with small subdivisions through the flag lot ordinance.

38
39 Chair Bowen commented that there was a large truck in the parking lot of the new soon to be
40 health spa with a large sign on it. It was an old rental van that was backed up to 2300 East.
41 There was no question in Commissioner Nicholl's mind that it violated the City's sign ordinance.
42 He asked that the Code Enforcement Officer look at it. Mr. Black agreed to pass the concern
43 along but was unsure anything would happen right away. He stated that there were a lot of sign
44 violations in the City currently and there had been some discussion as to whether the sign
45 ordinance was too restrictive.

1 Commissioner Frost remarked on the old Health Rider Building and stated that the ground had
2 been turned into a parking lot. Mr. Black stated that the owners had met all of the storm water
3 requirements and the property was indeed being used as a temporary parking lot. The owners
4 planned to begin construction on the parking structure for the fifth building shortly. Upon
5 completion, the area would be completely restored.

6
7 Commissioner Keane referred to the “Mafia House” and stated that at the time it was denied
8 there were bulldozers on the property. He asked what was taking place currently on the site.
9 Mr. Black responded that the property was being remodeled and that everything taking place on
10 the site was in compliance with the RR Zone. Although it appeared that they were doing a
11 commercial renovation, they were not, and the same could be done anywhere in the Residential
12 Zone. He noted that the matter was on the agenda the following week with the City Council.
13 Chair Bowen stated that the City Council heard the matter the prior week, however, because of
14 noticing requirements no decision was made. It was scheduled for a decision before the City
15 Council at the next meeting.

16
17 (19:23:50) Mr. Black stated that the delay was attributed to a throw back to pre-LUDMA. He
18 explained that Utah Code requires the City Council to hold a public hearing on any General Plan
19 amendment. Staff would be recommending a change very shortly.

20 21 **7. Adjournment.**

22
23 (19:24:15) *Commissioner Harwell moved to adjourn. Commissioner Armstrong seconded the*
24 *motion. Vote on motion: Tom Bowen-Aye, Gordon Nicholl-Aye, Geoff Armstrong-Aye, Doug*
25 *Haymore-Aye, Jim Keane-Aye, JoAnn Frost-Aye, Amy Rosevear-Aye. The motion passed*
26 *unanimously.*

27
28 The Planning Commission Meeting adjourned at 7:25 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*
2 *Cottonwood Heights City Planning Commission meeting held Wednesday, January 16, 2008.*

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6
7
8 

9 Teri Forbes

10 T Forbes Group

11 Minutes Secretary

12
13 Minutes approved: